

7-23-501 Enforcement by department -- Rulemaking.

- (1) Subject to the requirements of Title 63G, Chapter 4, Administrative Procedures Act, the department may:
- (a) receive and act on complaints;
 - (b) take action designed to obtain voluntary compliance with this chapter;
 - (c) commence administrative or judicial proceedings on its own initiative to enforce compliance with this chapter; or
 - (d) take action against a check casher or deferred deposit lender that fails to:
 - (i) respond to the department, in writing within 30 business days of the day on which the check casher or deferred deposit lender receives notice from the department of a complaint filed with the department; or
 - (ii) submit information as requested by the department.
- (2) The department may:
- (a) counsel persons and groups on their rights and duties under this chapter;
 - (b) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) restrict or prohibit lending or servicing practices that are misleading, unfair, or abusive;
 - (ii) promote or assure fair and full disclosure of the terms and conditions of agreements and communications between a customer and:
 - (A) a check casher; or
 - (B) a deferred deposit lender; and
 - (iii) promote or assure uniform application of or to resolve ambiguities in applicable state or federal laws or federal regulations; and
 - (c) employ hearing examiners, clerks, and other employees and agents as necessary to perform the department's duties under this chapter.

Renumbered and Amended by Chapter 96, 2008 General Session
Amended by Chapter 382, 2008 General Session